

CLELAND et al. -- 10/686,816  
Attorney Docket: 050017-0305220

REMARKS

Claims 1-19 are pending. Reconsideration in view of the following remarks is respectfully requested.

Claims 1-19 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-28 of U.S. Patent 6,719,356 in view of Schuttler (U.S. Patent 5,450,933). Claims 1 and 10 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 8 of co-pending U.S. Application 10/674,004 (which was published as U.S. Patent Application Publication 2004/0124662 A1).

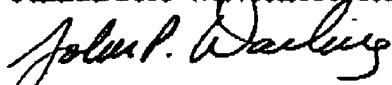
Although Applicants respectfully resubmit that a prima facie case of obviousness-type double patenting has not been established, and that the claims of the instant application are patentably distinct from U.S. Patent 6,719,356 and U.S. Application 10/674,004, in order to advance prosecution of the application, filed herewith is a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c).

In view of the above remarks, Applicants respectfully submit that all the claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

  
JOHN P. DARLING  
Reg. No. 44482  
Tel. No. (703) 770-7745

Date: December 22, 2005

P.O. Box 10500  
McLean, VA 22102

Tel. No. (703) 770-7900  
Fax No. (703) 770-7901